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11 *Attorneys for Plaintiff, U.S. Bank, National Association, as Successor Trustee to Wachovia Bank,*  
12 *N.A., as Trustee for the Certificateholders of the MLMI Trust, Mortgage Loan Asset-Backed*  
13 *Certificates, Series 2005-A8*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 U.S. BANK, NATIONAL ASSOCIATION,  
12 AS SUCCESSOR TRUSTEE TO  
13 WACHOVIA BANK, N.A., AS TRUSTEE  
14 FOR THE CERTIFICATEHOLDERS OF  
15 THE MLMI TRUST, MORTGAGE LOAN  
16 ASSET-BACKED CERTIFICATES, SERIES  
17 2005-A8,

18 Plaintiff,

19 vs.

20 FIDELITY NATIONAL TITLE INSURANCE  
21 COMPANY,

22 Defendant.

Case No.: 2:19-cv-00584-JCM-NJK

**STIPULATION AND ORDER TO  
EXTEND TIME PERIOD TO  
RESPOND TO MOTION TO DISMISS  
[ECF No. 40]**

**[Third Request]**

23 Plaintiff, U.S. Bank, National Association, as Successor Trustee to Wachovia Bank, N.A.,  
24 as Trustee for the Certificateholders of the MLMI Trust, Mortgage Loan Asset-Backed  
25 Certificates, Series 2005-A8 (“U.S. Bank”) and Defendant Fidelity National Title Insurance  
26 Company (“Fidelity”), by and through their counsel of record, hereby stipulate and agree as  
27 follows:

- 28 1. On November 4, 2022, U.S. Bank filed its First Amended Complaint [ECF No. 37];
2. On December, 5, 2022, Fidelity filed a Motion to Dismiss [ECF No. 40];
3. U.S. Bank’s deadline to respond to Fidelity’s Motion to Dismiss is currently January 11, 2023 [ECF No. 49];

- 1 4. U.S. Bank's counsel is requesting a one-week extension until Wednesday, January 18,  
2 2023, to file its response to the pending Motion to Dismiss;  
3 5. This extension is requested to allow counsel for U.S. Bank additional time to finalize  
4 its response;  
5 6. Counsel for Fidelity does not oppose the requested extension;  
6 7. This is the third request for an extension which is made in good faith and not for  
7 purposes of delay.

8 **IT IS SO STIPULATED.**

9 DATED this 11<sup>th</sup> day of January, 2023.

DATED this 11<sup>th</sup> day of January, 2023.

10 WRIGHT, FINLAY & ZAK, LLP

SINCLAIR BRAUN LLP

11 /s/ Lindsay D. Dragon, Esq.

/s/ Kevin S. Sinclair

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16 *Attorneys for Plaintiff, U.S. Bank, National*

*Attorney for Defendant, Fidelity National*

17 *Association, as Successor Trustee to*

*Title Insurance Company*

18 *Wachovia Bank, N.A., as Trustee for the*


19 *Certificateholders of the MLMI Trust,*

20 *Mortgage Loan Asset-Backed Certificates,*

21 *Series 2005-A8*

22 **IT IS SO ORDERED.**

23 Dated January 12, 2023.

24   
UNITED STATES DISTRICT COURT JUDGE